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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,387	12/17/2001	Albert Philip Van Duren	AUGA22000007	4111

25548 7590 09/15/2004

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EXAMINER

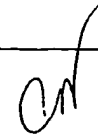
VRETTAKOS, PETER J

ART UNIT	PAPER NUMBER
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3739

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/024,387	VAN DUREN ET AL. 	
	Examiner	Art Unit	
	Peter J Vrettakos	3739	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 77-89 and 91-99 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 77-79, 84-86, 91 and 93-96 is/are rejected.
- 7) ☒ Claim(s) 80-83, 87-89, 92 and 97-99 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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## DETAILED ACTION

The action is non-final.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 77-79, 84-86, 91, and 93-96 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corbitt, III (5,862,843).

#### Independent claim 77

Corbitt discloses a combination for controlling airflow between an air hose (10) and an inflatable thermal device (27, raft), comprising:

at least one inlet port (30) in the inflatable thermal device for being coupled with an end (16) of the air hose;

a mechanism (32) to enable airflow when the end is coupled with the inlet port;

and

means (24) in response to the inlet port coupling with the end.

#### Independent claim 84

Corbitt discloses a method for controlling air flow in a system including an inflatable thermal device (27, raft), an air hose (10) having two ends, at least one inlet port in the

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inflatable thermal device for receiving one end of the two ends of the air hose, and the inflatable device including a mechanism (32) near the end to control the flow of pressurized air through the end, comprising:

- coupling the one end with the inlet port;

- operating the mechanism in response to coupling to permit an airflow out of the one end;

- operating the inflatable thermal device in response to the airflow;

- decoupling the one end from the inlet port; and,

- in response to decoupling, operating the mechanism to block airflow through the one end.

Independent claim 95

Corbitt discloses a method for controlling air flow in a system including an inflatable thermal device (27, raft), an air hose (10) having two ends, at least one inlet port in the inflatable thermal device for receiving one end of the two ends of the air hose, and the air hose including a mechanism (32) near the end to control the flow of pressurized air through the end, comprising:

- coupling the one end with the inlet port;

- operating the mechanism in response to coupling to permit an airflow out of the one end;

- in which operating the mechanism includes opening the mechanism; and

- operating the inflatable thermal device in response to the airflow.

Note: Corbitt's invention represents a reversal of parts in relation to the Applicant's invention. See MPEP 2144.04 [R-1] VI. A. Verbatim:

*In re Gazda*, 219 F.2d 449, 104 USPQ 400 (CCPA 1955) (Prior art disclosed a clock fixed to the stationary steering wheel column of an automobile while the gear for winding the clock moves with steering wheel; mere reversal of such movement, so the clock moves with wheel, was held to be an obvious expedient.).

The Office asserts that placement of element 32 in the nozzle/air hose and element 24 (and associated element 25) in the inflatable device is a mere reversal of parts and therefore makes obvious the Applicant's invention as currently claimed. In other words, this conjectured reversal indeed reads on the independent claims as currently worded.

Dependent claims 78-79, 85-86, 91, 93-94, and 96

78. The combination of claim 77 in which the mechanism (32) cooperates with the inlet port (30) independently of the rotational alignment of the end in the inlet port.

79. The combination of claim 77 in which the end (18) has a diameter and the mechanism (32) includes a valve with a flap (32, depicted figure 2) having a diameter substantially the same as the end diameter.

85. The method of claim 84 in which operating the mechanism in response to coupling includes opening the mechanism (32 flap opening in figure 2).

86. The method of claim 84 wherein the mechanism includes a flap (32), and operating the mechanism in response to coupling includes moving the flap in response to coupling, in order to permit airflow (col. 5:9-17).

91. The method of claim 84 wherein the mechanism includes a flap (32) that blocks the airflow through the one end, and operating the mechanism to block includes moving the flap in response to decoupling in order to block airflow.

93. The method of claim 91, wherein moving the flap in response to decoupling includes moving the flap to a first position in the one end at which the valve is closed.

94. The method of claim 93 wherein moving the flap in response to coupling includes moving the flap to a second position in the one end at which the valve is open.

96. The method of claim 95 wherein the mechanism includes a flap, and opening the mechanism includes moving the flap in response to coupling, in order to permit airflow.

Therefore, at the time of the invention it would have been obvious to one of ordinary skill in the art to modify Corbitt by reversing parts to arrive at the Applicant's invention. The motivation would be to provide an alternate design choice.

***Allowable Subject Matter***

Claim 80-83, 87-89, 92, 97-99 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Vrettakos whose telephone number is 703 605 0215. The examiner can normally be reached on M-F 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Linda C Dvorak can be reached on 703 308 0994. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Pete Vrettakos  
September 10, 2004

*W*

*Roy D. Gibson*  
ROY D. GIBSON  
PRIMARY EXAMINER